

**REQUEST FOR PROPOSAL #11-1247FL
VENDING AND CONCESSION (Fresh Food) SERVICES AT THE
MANATEE COUNTY JUDICIAL CENTER**

Manatee County, a political subdivision of the State of Florida (hereinafter "Manatee County" or the "County") will receive proposals from individuals, corporations, partnerships, and other business entities authorized to do business in the State of Florida, for the purpose of providing vending and concession (fresh food) services.

To ensure that all prospective proposers have sufficient information and understanding of the County's needs, a **Non-Mandatory SITE VISIT AND INFORMATION CONFERENCE** will be held on **May 6, 2011, starting at 10:00 AM**, or soon thereafter, at the **Manatee County Judicial Center** (downstairs concession area), 1051 Manatee Avenue West, Bradenton, FL. All proposers are encouraged to attend this information conference. Security check will be conducted by the Manatee County Sheriff's Office in order to obtain entrance to the Judicial Center

DEADLINE FOR CLARIFICATION REQUESTS: May 9, 2011 at 3:00 PM shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request For Proposals to the Manatee County Purchasing Office. This deadline has been established to maintain fair treatment for all potential bidders or proposers, while ensuring an expeditious transition to a final agreement.

TIME AND DATE DUE: **Proposals will be received until 4:00 PM on May 17, 2011**, at which time they will be **publicly opened**. All interested parties are invited to attend this opening.

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Important note: A prohibition of Lobbying is in place. Please review paragraph A.17 carefully to avoid violation and possible sanctions.

FOR INFORMATION CONTACT:
Frank Lambertson, Contracts Negotiator, PHONE (941)749-3042, FAX (941)749-3034
frank.lambertson@mymanatee.org
Manatee County, Financial Management Department, Purchasing Division

AUTHORIZED FOR RELEASE: _____


Friday, April 22, 2011

REQUEST FOR PROPOSAL #11-1247FL
Vending and Concession (Fresh Food) Services at the Judicial Center

SECTION A: INFORMATION TO PROPOSERS

PROPOSERS MUST COMPLY WITH THE FOLLOWING INSTRUCTIONS TO BE CONSIDERED FOR SELECTION:

A.01 OPENING LOCATION

Proposals will be publicly opened at Manatee County Purchasing, 1112 Manatee Avenue West, 8th Floor, Suite 803, Bradenton, Florida 34205 in the presence of County officials at the time and date stated on the cover sheet. All proposers or their representatives are invited to attend.

A.02 PROPOSAL INFORMATION AND PROPOSAL DOCUMENTS

Bids and Proposals on <http://www.mymanatee.org>

Bid or Proposal documents and the Notices of Source Selection related to those Bids or Proposals are available for download in a portable document format (.PDF) file on the Manatee County web page on the Purchasing tab under "Bids and Proposals". You may view and print these files using Adobe Acrobat software. You may download a free copy of this software (Adobe) from the County's web page if you do not have it.

Manatee County collaborates with the Manatee Chamber of Commerce on distributing solicitations using the RFP Tool web page on the Chambers website: <http://www.Manateechamber.com> to post Bid and Proposal documents in a portable document format (.PDF) file. This step is in addition to the posting on Manatee County Government web pages.

Manatee County may also use an internet service provider to distribute Bids and Proposals. A link to that service <http://www.DemandStar.com>, is provided on this website under the Tab "DemandStar". Participation in the DemandStar system is not a requirement for doing business with Manatee County.

Note: The County posts the **Notice of Source Selection** seven (7) calendar days prior to COMMENCING NEGOTIATIONS with the selected firms.

IT IS THE RESPONSIBILITY OF EACH PROPOSER, PRIOR TO SUBMITTING THEIR PROPOSAL, TO CONTACT THE MANATEE COUNTY PURCHASING OFFICE (see contact information on page one of this document) TO DETERMINE IF ADDENDA WERE ISSUED AND TO MAKE SUCH ADDENDA A PART OF THEIR PROPOSAL.

A.03 REQUIREMENTS FOR FORMAT AND DELIVERY OF PROPOSALS

Any proposals received after the stated time and date will not be considered. It shall be the sole responsibility of the proposer to have their proposal delivered to the Manatee County Purchasing office for receipt on or before the stated time and date. If a proposal is sent by U.S. Mail, the proposer shall be responsible for its timely delivery to the Purchasing Office. Proposals delayed by mail shall not be considered, shall not be opened at the public opening, and arrangements shall be made for their return at the proposer's request and expense.

Proposals must be submitted in the format specified in Section B hereof. The contents of each proposal shall be **separated and arranged with tabs in the same order as listed in the Subsections within Section B** identifying the response

A.04 CLARIFICATION & ADDENDA

Each proposer shall examine all Request For Proposal documents and shall judge all matters relating to the adequacy and accuracy of such documents. Any inquiries, suggestions or requests concerning interpretation, clarification or additional information pertaining to the Request For Proposal shall be made in writing through the Manatee County Purchasing Office. The County shall not be responsible for oral interpretations given by any County employee, representative, or agent. The issuance of a written addendum by the Purchasing Official's Office is the only official method whereby interpretation, clarification or additional information can be given.

Addenda shall be posted on <http://www.mymanatee.org>

It shall be the responsibility of each proposer, prior to submitting their proposal, to contact the Manatee County Purchasing Office at (941)748-4501, ext. 3042 to determine if addenda were issued and to make such addenda a part of the proposal.

DEADLINE FOR CLARIFICATION REQUESTS

May 9, 2011 at 3:00 PM shall be the deadline to submit all inquiries, suggestions, or requests concerning interpretation, clarification or additional information pertaining to this Request For Proposals to the Manatee County Purchasing Office.

This deadline has been established to maintain fair treatment for all potential bidders or proposers, while ensuring an expeditious transition to a final agreement.

A.05 SEALED & MARKED

One signed Original (please mark the original) and Five (5) copies of your proposal shall be submitted in one sealed package, clearly marked on the outside "**Sealed Proposal #11-1247FL**" and addressed to:

Manatee County Purchasing
1112 Manatee Avenue West, Suite 803
Bradenton, FL 34205

A.06 LEGAL NAME

Proposals shall clearly indicate the legal name, address, email and telephone number of the proposer (company, firm, partnership, individual). Proposals shall be signed above the typed or printed name and title of the signer. The signer must have the authority to bind the proposer to the submitted proposal.

A.07 PROPOSAL EXPENSES

All expenses for making proposals to the County are to be borne by the proposer.

A.08 EXAMINATION OF PROPOSAL

The examination of the proposal and the proposer generally requires a period of not less than ninety (90) calendar days from the date of the opening of the proposals.

A.09 DISCLOSURE

Proposals become "Public Records" ten (10) days after the proposal opening or if an award decision is made earlier than this time as provided by Florida Statute 119.071 (1) (b). **No review of the proposal documents shall be conducted at the public opening of the proposals.**

Manatee County will make public at the opening, the names of the business entities that submitted an offer and any amount presented as offers without any verification of the mathematics or the completeness of the offer.

A.10 ERRORS OR OMISSIONS

Once a proposal is submitted, the County shall not accept any request by any proposer to correct errors or omissions in the proposal.

A.11 RESERVED RIGHTS

The County reserves the right to accept or reject any and/or all proposals, to waive irregularities and technicalities, and to request resubmission. Any sole response received by the first submission date may or may not be rejected by the County, depending on available competition and timely needs of the County. The County reserves the right to award the contract to a responsible proposer submitting a responsive proposal, with a resulting negotiated agreement which is most advantageous and in the best interests of the County. The County shall be the sole judge of the proposal, and the resulting negotiated agreement that is in its best interest and its decision shall be final. Also, the County reserves the right to make such investigation as it deems necessary to determine the ability of any proposer to perform the work or service requested. Information the County deems necessary to make this determination shall be provided by the proposer. Such information may include, but shall not be limited to: current financial statements prepared by an independent CPA; verification of availability of equipment and personnel; and past performance records.

A.12 APPLICABLE LAWS

Proposer must be authorized to transact business in the State of Florida. All applicable laws and regulations of the State of Florida and ordinances and regulations of Manatee County will apply to any resulting agreement. Any involvement with any Manatee County procurement shall be in accordance with Manatee County Code of Laws Chapter 2-26, as amended. Procedures and deadlines concerning protests related to this Request For Proposals shall be those which are set forth in §2-26-61 of the County Code.

A.13 CODE OF ETHICS

With respect to this proposal, if any proposer violates or is a party to a violation of the Code of Ethics of Manatee County per Manatee County Code of Laws, Article III, Ethics in Public Contracting, and/or Florida criminal or civil laws related to public procurement including but not limited to Florida Statutes Chapter 112, Part II, Code of Ethics for Public Officers and Employees, such proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future proposals for work or for goods or services for Manatee County.

The County presumes that all statements made and materials submitted in a proposal will be truthful. If a proposer is determined to be untruthful in its proposal or any related presentation, such proposer may be disqualified from further consideration regarding this Request for Proposals.

A.14 COLLUSION

By offering a submission to this Request For Proposal the proposer certifies the proposer has not divulged to, discussed or compared his proposal with other proposers and has not colluded with any other proposer or parties to this proposal whatsoever. Also, the proposer certifies, and in the case of a joint proposal, each party thereto certifies, as to their own organization that in connection with this proposal:

- a. any prices and/or data submitted have been arrived at independently, without consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices and/or cost data, with any other proposer or with any competitor;
- b. any prices and/or cost data quoted for this proposal have not been knowingly disclosed by the proposer prior to the scheduled opening directly or indirectly to any competitor;
- c. no attempt has been made or will be made by the proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition;
- d. the only person or persons interested in this proposal as principal or principals is/are named therein and that no person other than therein mentioned has any interest in this proposal or in the contract to be entered into; and
- e. no person or agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees.

A.15 PUBLIC ENTITY CRIMES

In accordance with Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted proposer list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two for a period of 36 months from the date of being placed on the convicted proposer list.

A.15 PUBLIC ENTITY CRIMES continued

In addition, Manatee Code of Laws Chapter 2-26 Article V prohibits the award of County contracts to any person or entity who/which has, within the past 5 years, been convicted of, or admitted to in court or sworn to under oath, a public entity crime or of any environmental law that, in the reasonable opinion of the purchasing official, establishes reasonable grounds to believe the person or business entity will not conduct business in a reasonable manner.

To ensure compliance with the foregoing, the Code requires all persons or entities desiring to contract with the County to execute and file with the purchasing official an affidavit, executed under the pain and penalties of perjury, confirming that person, entity, and any person(s) affiliated with the entity, does not have such a record and is therefore eligible to seek and be awarded business with the County. **Proposer is to complete Attachment "A"**

A.16 DRUG FREE WORKPLACE

Drug Free Workplace Program: Manatee County has adopted a policy requiring Contractors to maintain a Drug Free Workplace (Resolution R-93-22). Proposers are asked to review the attached Resolution and provide either a certification of compliance with the program outlined in this Resolution or describe your firm's policy or program as it relates to maintaining a drug free workplace. This response will be considered with the other criteria described herein. **Proposer to complete Attachment "B"**

A.17 LOBBYING

After the issuance of any Request For Proposals, prospective proposers or any agent, representative or person acting at the request of such proposer shall not contact, communicate with or discuss any matter relating in any way to the Request For Proposals with any officer, agent or employee of Manatee County other than the Purchasing Official or as directed in the Request For Proposals. This prohibition begins with the issuance of any Request For Proposals and ends upon an award of the final contract, when all solicitations have been rejected, or when the request has been canceled. Violators of this prohibition shall be subject to sanctions as provided in the Manatee County Code of Law Chapter 2-26.

A.18 EQUAL EMPLOYMENT OPPORTUNITY

Manatee County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 and the Regulations of the Department of Commerce (15 CFR, Part 8) issued pursuant to such Act, hereby notifies all prospective proposers that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, women or minority business enterprises will be afforded full opportunity to participate in response to this advertisement and will not be discriminated against on the grounds of race, color, creed, sex, age or national origin in consideration for an award.

A.19 AMERICANS WITH DISABILITIES ACT

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the County's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for the **public meetings** specified herein (i.e. Information Conference or Proposal Opening), should contact the person named on the first page of this document at least twenty four (24) hours in advance of the activity to request accommodations.

SECTION B: FORM OF PROPOSAL

This section identifies specific evaluation factors which are to be given written responses. The contents of each proposal shall be **separated** and **arranged with tabs** in the same order as listed in Sections B.01 through B.03, identifying the response to each specific item.

The information that Proposers provide shall be used to determine whether the Proposer has the ability to perform the Scope of Services as stated in this Request for Proposal in a way which best meet the needs of Manatee County. A review with those Proposers reasonably susceptible of being selected for award may be conducted for the purposes of clarification of both ability and benefit to Manatee County. See Section C. Selection.

B.01 MINIMUM QUALIFICATIONS

The Proposer must have completed a minimum of at least three (3) years of full-time experience providing snack bar, concession, or restaurant services and vending machine services within the last five (5) years and be licensed under appropriate state, county, and city laws.

B.02 ADMINISTRATIVE SUBMITTAL

- a. Proposal Signature Form.
- b. Public Contracting and Environmental Crimes Certification (Attachment A).
- c. Drug Free Work Place Certification (Attachment B).
- d. Projected Budget (Attachment C).
- e. Projected Equipment List (Attachment D).
- f. Proposed Price Controlled Items (Attachment E).
- g. Proposed Item List (Attachment F).
- g. Copies of required licenses from the City of Bradenton and the State of Florida (fresh and pre-packaged as necessary).

B.03 INFORMATION TO BE SUBMITTED

- a. Describe the Proposer's legal status, background, size, and history; include how long the proposed team has worked together performing this type of service. If relying on an acquisition or merger to meet the minimum

qualifications, Proposer must identify the acquisition or merger and clearly explain how the minimum qualifications are met.

- b. Identify the names of the individuals of the Proposer's service provision team. Describe the qualifications, credentials and relevant experience of the team.
- c. Submit a manning level statement for your organization, detailing how many total employees work for your firm. List the temporary, seasonal, and part-time employees by number or ratio.
- d. Suggest the licensing fee, as a percent of gross receipt or other measure that Proposer will provide to Manatee County. Discuss any state tax requirements you might have based on County's sales tax exemption status.
- e. Provide a project plan describing how your firm would perform and meet the requirement of the Scope of Services. Include dining plan (healthy, soup/salads, pizza/pasta, quick grabs etc.) and dining room rendering.
- f. Provide at least five (5) references with knowledge of your firm's performance providing similar services. List the names of senior level employees, the name of the entity, the dates of service, and the contact's active and viable telephone numbers.
- g. Provide a list of contracts, with name and addresses, that your firm has lost within the past three (3) years and state the reason for the loss.
- h. Discuss the records that you will keep to properly monitor sales and services.
- i. Submit a Three Year Projected Budget in the format of Attachment "C". Describe your assumptions regarding the projections on the volume of sales to be generated for the following categories of service at a minimum:
 - Fresh Food and Beverage (no alcoholic beverages),
 - Vending machines,
 - Sundry items (including all items detailed in your project)
- j. Submit a list of equipment and/or appliances that will be provided by your firm at your expense in the format of Attachment "D". Capital improvement recommendations for the facility are encouraged in an effort for the concession to have its own character and look.
- k. Discuss your understanding of customer needs and preferences and your service commitment to meet those needs and preferences.
- l. Provide for County approval, a list of selected proposed food and beverage

products that will be offered at a modest price in the format of Attachment "E". The County may request that any changes to the pricing of these items for sale be submitted in writing to the County for review and approval.

- m. Provide a price list of additional proposed food and beverage products that will be offered in the format of Attachment "F".
- n. If take out ordering will be offered, provide detail on how orders will be received, filled, delivered and charged.
- o. After reviewing the Scope of Services, make any recommendations that would better allow the County to better serve the public and its employees.
- p. Detail the time required from the date of signing an agreement with the County to the date you will be prepared to open for business. Include the lead time required for delivery of equipment and or appliances and the first date that you can begin services.
- q. Describe in detail your firm's policies and procedures for handling customer complaints, including how you monitor and follow-through on complaints. Illustrate by example how you have handled complaints and how you have modified your business practices to minimize complaints.
- r. Submit a narrative explaining the direct economic benefit to Manatee County to be realized by selecting your firm. During the term of this engagement detail the revenue maximizing activities, employment, subcontracting, and support services contracting as economic stimulus that your entity may generate that would directly benefit Manatee County.
- s. Provide detail as to how you plan to market your operations.
- t. Detail how you will handle refunds for both the concession and vending.
- u. Provide priced menu for both concession and vending.
- v. Submit any other additional information which would assist the County in the evaluation of your proposal.

NOTE: The County reserves the right to make such investigation and solicit additional information or submittals as it deems necessary to determine the ability of any Proposer to perform the Scope of Services stated in this Request for Proposal.

SECTION C: SELECTION

C.01 EVALUATION FACTORS

Evaluation factors are price and demonstrated ability of the proposer(s) to efficiently perform the Scope of Services as generally outlined in Section E of this Request For Proposals. The County will be seeking to identify the proposal(s) which provide the **Highest and Best** solution to provide vending and concession services at the Judicial Center as determined from the responses to this Request For Proposals and subsequent investigation.

C.02 RELATIVE IMPORTANCE OF EVALUATION FACTORS

While overall revenue to the County will be a significant factor in the County's assessment of proposals, it is conceivable that the proposer with the Highest quoted revenue to the County may not be selected for negotiation of an agreement if competing proposals are deemed to provide better overall terms and benefits for the County.

C.03 PRELIMINARY RANKING

A Selection Committee shall determine from the responses to this Request For Proposals and subsequent investigation as necessary, the proposer(s) most susceptible of being selected for award.

C.04 IN-PERSON REVIEW OF PROPOSERS AND PROPOSALS

In-person reviews may be conducted with responsible proposers who are deemed reasonably susceptible of being selected for award, for the purposes of assuring full understanding of (a) conformance to the solicitation requirements, (b) the abilities of the proposer, and (c) the proposal submitted.

Proposers shall be available for presentations to and interviews with the Selection Committee, upon notification from the Purchasing Office. The date(s) and time(s) of any such presentations / interviews shall be determined solely by the County.

C.05 SELECTION FOR NEGOTIATION

The proposer, whose ability and proposal is determined to be the **Highest and Best** proposal that is most advantageous to the County, taking into consideration the Evaluation Factors set forth in this Request For Proposals, shall be selected to negotiate an agreement for the County determined Scope of Services.

While overall revenue to the County will be a significant factor in the County's assessment of proposals, it is conceivable that the proposer with the highest quoted revenue to the County may not be selected for negotiation of an agreement if competing proposals are deemed to provide better overall terms and benefits for the County.

The selection of a proposer for negotiation shall not be construed as vesting any contractual or other rights of any nature in the proposer.

C.06 AWARD

Award is subject to the successful negotiation of an agreement covering both services and revenue to the County.

SECTION D: NEGOTIATION OF THE AGREEMENT

D.01 GENERAL

The following general terms and conditions apply to the proposal submitted for consideration and the subsequent negotiations:

- a. The proposal will serve as a basis for negotiating an agreement, but not compel adherence to its terms or conditions.
- b. Upon submission, all proposals become the property of the County which has the right to use any or all ideas presented in any proposal submitted in response to this Request For Proposal whether or not the proposal is accepted.
- c. All products and papers produced in the course of this engagement become the property of the County upon termination or completion of the engagement.

D.02 AGREEMENT

The selected proposer shall be required to negotiate an agreement, in a form and with provisions acceptable to Manatee County.

The Purchasing Official will be presented the negotiated agreement as a best offer for consideration of award. The Purchasing Official shall determine whether to (a) accept the recommended award and approve the execution of an agreement, (b) reject the recommended award and direct further negotiations, or (c) reject the recommended award and direct the termination of negotiations.

SECTION E: SCOPE OF SERVICES

E.01 INTRODUCTION

Manatee County is soliciting proposals from qualified and interested local, regional, or national food service operators/chains to develop, manage, and operate a concession operation (fresh food) and provide vending machines at the Manatee County Judicial Center located at 1051 Manatee Avenue West, Bradenton, Florida.

The Judicial Center will house all of the courtroom functions for Manatee County, including criminal and civil trials, family court and child support enforcement, and drug court. There will be approximately 175 employees on site during each work day during regular working hours as well as jurors, attorneys and members of the general public involved in trials or conducting business, numbering approximately 300 per day. Additional, on Mondays and Wednesdays there are usual between 150-200 jurors in the building for jury selection.

In addition, this location may have significant walk-in traffic from other downtown offices as well as the Historic Courthouse next door and the County Administrative Center across the street.

Manatee County Judicial Center will be operated as a secure facility. All persons, products and deliveries entering the building will be screened by security personnel.

a. JURY ASSEMBLY

The jury assembly room is located on the 2nd floor of the Judicial Center off the main corridor. This area is designed for three (3) vending machines and seating for approximately 200 persons.

b. SNACK BAR (Concession)

The Snack Bar is located on the 1st floor of the Judicial Center adjacent to the lobby entrance. This area provides the electrical and space requirements for four (4) vending machines and tables/seating for 24 persons. Limited space (approximately 140 square feet) is available for a staffed food concession in the snack bar area.

Floor and electrical plans of the Snack Bar location are attached for reference as Exhibits "A" and "B", respectively.

E.02 SCOPE OF SERVICES

The following is a general framework of services to be provided by the proposer. Services shall not be limited by this framework. Instead, the candidate must describe, in detail, their understanding of the scope of services required by this project. Candidates are strongly encouraged to illustrate the uniqueness and quality of their food and services that would set them apart from all other proposers.

a. Description of the Sites Available for Service:

Jury Assembly This area on the second floor provides the electrical and space requirements for three (3) vending machines. No water supply or wastewater drainage is available.

Snack Bar. This area is not equipped with large, restaurant-grade food storage, preparation, or ware-washing equipment. Space is also limited. Given these two factors, it is preferred that the proposer conducts all food preparation off-site or utilizes mostly prepared foods. The Proposer may suggest the use of a refrigerated vending machine or another solution for dispensing sandwiches, salads and/or soup items. Appliances may be furnished for the public to prepare pre-packaged items.

At this time, no cabinets, countertops, dishwashing or kitchen equipment are available. Proposer will be responsible for providing sufficient refrigeration and storage of food products, paper and plastic ware, condiments, and food preparation work surfaces and equipment. Water supply in the Snack Bar area is limited. No wastewater drains are available.

Proposals may include a combination of vending machines, carts, kiosks, or other solutions to present drinks and snacks, and consideration should be made for breakfast and lunch items. The Proposer would have the option of providing appliances to heat or otherwise prepare food items. An attendant may be required during times of food preparation. Vending machines alone would not require an attendant. Hours of operation would be 7:30 a.m. to 2:00 p.m. or at proposer's discretion during regular working hours.

b. Proposer's requirements:

- Begin delivery and operations, as practicably feasible, by or shortly after the opening of the Judicial Center on June 20, 2011.
- Mark all food items with date/time prepared and replace all unsold food items within 48 hours.
- Offer sensibly priced, professional food service.

- Provide, at Proposer's expense, all food, beverages, and other items to be sold in the cafeteria.
- Obtain the appropriate licenses and permits to operate a food concession, and allow any inspections by city, county and state authorities.
- Meet or exceed the safety requirements for food concessions by city, county and state authorities.
- Operate in proposer's own name and not in the name of the county.
- Keep all garbage containers and surrounding areas clean.
- Place signs only in approved locations with approved methods.
- Adhere to all pertinent laws and ordinances.
- Provide all equipment and maintain in clean and proper operating condition.
- Proposer's employees must conduct themselves in a professional and courteous manner at all times.
- Maintain the prescribed levels of insurance.
- Provide information signage in both locations, including name of business and phone number, to direct the public for refunds and notification of equipment problems.
- Resolve issues with the Department of Health at the proposer's expense. Report all issues with the Department of Health to Manatee County within ten (10) days.
- Cooperate with Property Management staff and Security staff in upholding and maintaining a clean and safe environment.
- All machines, appliances, equipment, cabinetry and work surfaces will be provided by the Proposer. Such items will be the personal property of the Proposer and will be removed by the Proposer upon termination or expiration of the resulting agreement. The Proposer's personal property shall not be attached to or made a permanent fixture in the building.

c. The County will provide:

- Tables and chairs for the Snack Bar area (seating for 24).
- Existing electric and water (as specified in Exhibits A & B) to the facility at no cost to proposer.
- Custodial service for clean-up of tables and floors.
- Daily trash removal.

PROPOSAL SIGNATURE FORM
RFP #11-1247FL

Firm Name

Mailing Address:

Email

() _____
Telephone Number

City, State, Zip Code

The undersigned attests to his or her authority to submit this proposal and to bind the firm herein named to perform the services offered in a two party agreement. If the firm is selected by the County the undersigned certifies that he/she will negotiate in good faith to establish vending and concession (fresh food) services at the Judicial Center and as may be determined by the County which are detailed in this RFP #11-1247FL.

Signature

Witness Signature

Date: _____

Date: _____

Name and Title of Above Signer

Name and Title of Above Signer

Name and Title of Firm's Representative for Manatee County

Email for Firm's Representative for Manatee County

Telephone Number of Firm's Representative for Manatee County

ATTACHMENT "A"

PUBLIC CONTRACTING AND ENVIRONMENTAL CRIMES CERTIFICATION

**SWORN STATEMENT PURSUANT TO
MANATEE COUNTY CODE OF LAW**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

This sworn statement is submitted to the Manatee County Board of County Commissioners by _____
[print individual's name and title]

_____ for _____
[print name of entity submitting sworn statement]

whose business address is: _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____. If the entity has no

FEIN, include the Social Security Number of the individual signing this sworn statement: _____

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it has not:

- (1) been convicted of bribery or attempting to bribe a public officer or employee of Manatee County, the State of Florida, or any other public entity, including, but not limited to the Government of the United States, any state, or any local government authority in the United States, in that officer's or employee's official capacity; or
- (2) been convicted of an agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid a fixed price, or otherwise; or
- (3) been convicted of a violation of an environmental law that, in the sole opinion of the County's Purchasing Director, reflects negatively upon the ability of the person or entity to conduct business in a responsible manner; or
- (4) made an admission of guilt of such conduct described in items (1), (2) or (3) above, which is a matter of record, but has not been prosecuted for such conduct, or has made an admission of guilt of such conduct, which is a matter of record, pursuant to formal prosecution. An admission of guilt shall be construed to include a plea of nolo contendere; or
- (5) where an officer, official, agent or employee of a business entity has been convicted of or has admitted guilt to any of the crimes set forth above on behalf of such and entity and pursuant to the direction or authorization of an official thereof (including the person committing the offense, if he is an official of the business entity), the business shall be chargeable with the conduct herein above set forth. A business entity shall be chargeable with the conduct of an affiliated entity, whether wholly owned, partially owned, or one which has common ownership or a common Board of Directors. For purposes of this Form, business entities are affiliated if, directly or indirectly, one business entity controls or has the power to control another business entity, or if an individual or group of individuals controls or has the power to control both entities. Indicia of control shall include, without limitation, interlocking management or ownership, identity of interests among family members, shared organization of a business entity following the ineligibility of a business entity under this Article, or using substantially the same management, ownership or principles as the ineligible entity.

Any person or entity who claims that this Article is inapplicable to him/her/it because a conviction or judgment has been reversed by a court of competent jurisdiction, shall prove the same with documentation satisfactory to the County's Purchasing Director. Upon presentation of such satisfactory proof, the person or entity shall be allowed to contract with the County.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT **SUCH PERSON OR ENTITY HAS MADE FALSE CERTIFICATION.**

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20____ by _____.

Personally known _____ OR Produced identification _____
[Type of identification]

Notary Public Signature My commission expires _____

[Print, type or stamp Commissioned name of Notary Public]

Signatory Requirement - In the case of a business entity other than a partnership or a corporation, this affidavit shall be executed by an authorized agent of the entity. In the case of a partnership, this affidavit shall be executed by the general partner(s). In the case of a corporation, this affidavit shall be executed by the corporate president.

ATTACHMENT "B"

Drug Free Work Place Certification

SWORN STATEMENT PURSUANT TO RESOLUTION R-93-22, ON DRUG FREE WORK PLACES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

This sworn statement is submitted to the Manatee County Board of County Commissioners by:

_____ for _____
[print individual's name and title] [print name of entity submitting sworn statement]

whose business address is: _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____ (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____)

I understand that no person or entity shall be awarded or receive a county contract for public improvements, procurement of goods or services (including professional services) or a county lease, franchise, concession or management agreement, or shall receive a grant of county monies unless such person or entity has submitted a written certification to the County that it will provide a drug free work place by:

(1) providing a written statement to each employee notifying such employee that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance as defined by §893.02(4), Florida Statutes, as the same may be amended from time to time, in the person's or entity's work place is prohibited specifying the actions that will be taken against employees for violation of such prohibition. Such written statement shall inform employees about:

- (i) the dangers of drug abuse in the work place;
- (ii) the person's or entity's policy of maintaining a drug free environment at all its work places, including but not limited to all locations where employees perform any task relating to any portion of such contract, business transaction or grant;
- (iii) any available drug counseling, rehabilitation, and employee assistance programs; and
- (iv) the penalties that may be imposed upon employees for drug abuse violations.

(2) Requiring the employee to sign a copy of such written statement to acknowledge his or her receipt of same and advice as to the specifics of such policy. Such person or entity shall retain the statements signed by its employees. Such person or entity shall also post in a prominent place at all of its work places a written statement of its policy containing the foregoing elements (i) through (iv).

(3) Notifying the employee in the statement required by subsection (1) that as a condition of employment the employee will:

- (i) abide by the terms of the statement; and
- (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such a conviction.

(4) Notifying the County within ten (10) days after receiving notice under subsection (3) from an employee or otherwise receiving actual notice of such conviction.

(5) Imposing appropriate personnel action against such employee up to and including termination; or requiring such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

(6) Making a good faith effort to continue to maintain a drug free work place through implementation of sections (1) through (5) stated above.

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR MANATEE COUNTY IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT ANY CONTRACT OR BUSINESS TRANSACTION SHALL PROVIDE FOR SUSPENSION OF PAYMENTS, OR TERMINATION, OR BOTH, IF THE CONTRACTING OFFICER OR THE COUNTY ADMINISTRATOR DETERMINES THAT:

- (1) Such person or entity has made false certification.
- (2) Such person or entity violates such certification by failing to carry out the requirements of sections (1), (2), (3), (4), (5), or (6) or Resolution R-01-36 Section 4, E (1) (a) or
- (3) Such a number of employees of such person or entity have been convicted of violations occurring in the work place as to indicate that such person or entity has failed to make a good faith effort to provide a drug free work place as required by Resolution R-01-36 Section 4, E (1) (a).

[Signature]

STATE OF FLORIDA
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 20__ by _____.

Personally known _____ OR Produced identification) _____
(Type of identification)

Notary Public Signature My commission expires _____

[Print, type or stamp Commissioned name of Notary Public]

ATTACHMENT "C"
SAMPLE PROJECTED BUDGET

YEAR ONE

A. Projected Revenues - Year One

Food	_____
Beverage	_____
Sundries	_____
Vending	_____
Other (List)	_____
TOTAL	_____

B. Projected Expenses - Year One

Staffing	_____
Product	_____
Utilities	_____
Telephone	_____
Equipment	_____
Equipment Repair	_____
Facility Maintenance	_____
Spoilage	_____
Sales Tax	_____
Compensation to County	_____
Other (List)	_____
TOTAL	_____

C. Year One Summary

Year One Total Projected Revenues	_____
Year One Total Projected Expenses	_____
Year One Total Projected Net Profit	_____

ATTACHMENT "C" (Continued)
SAMPLE PROJECTED BUDGET

YEAR TWO

A. Projected Revenues - Year Two

Food	_____
Beverage	_____
Sundries	_____
Vending	_____
Other (List)	_____
TOTAL	_____

B. Projected Expenses - Year Two

Staffing	_____
Product	_____
Utilities	_____
Telephone	_____
Equipment	_____
Equipment Repair	_____
Facility Maintenance	_____
Spoilage	_____
Sales Tax	_____
Compensation to County	_____
Other (List)	_____
TOTAL	_____

C. Year Two Summary

Year Two Total Projected Revenues	_____
Year Two Total Projected Expenses	_____
Year Two Total Projected Net Profit	_____

ATTACHMENT "C" (Continued)
SAMPLE PROJECTED BUDGET

YEAR THREE

A. Projected Revenues - Year Three

Food	_____
Beverage	_____
Sundries	_____
Rentals	_____
Vending	_____
Other (List)	_____
TOTAL	_____

B. Projected Expenses - Year Three

Staffing	_____
Product	_____
Utilities	_____
Telephone	_____
Equipment	_____
Equipment Repair	_____
Facility Maintenance	_____
Spoilage	_____
Sales Tax	_____
Compensation to County	_____
Other	_____
TOTAL	_____

C. Year Three Summary

Year Three Total Projected Revenues	_____
Year Three Total Projected Expenses	_____
Year Three Total Projected Net Profit	_____

ATTACHMENT "D"
EQUIPMENT LIST

List below the equipment your firm proposes to furnish at your expense.

	<u>Type of Equipment</u>	<u>Replacement Cost</u>	<u>Age of Equipment</u>	<u>Present Value of Equipment</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____
7.	_____	_____	_____	_____
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____
11.	_____	_____	_____	_____
12.	_____	_____	_____	_____
13.	_____	_____	_____	_____
14.	_____	_____	_____	_____
15.	_____	_____	_____	_____

ATTACHMENT "E"
PROPOSED PRICE CONTROLLED ITEMS

Beverages:

Coffee	\$
Hot Tea	\$
Hot Chocolate	\$
Orange Juice	\$
Grapefruit Juice	\$
V-8 Juice	\$
Milk	\$
Iced Tea (S/M/L)	\$

Food Items:

Hamburgers	\$
Hotdog	\$
French Fries	\$

ATTACHMENT "F"
PROPOSED ITEM LIST

Vending Items:

\$/sales unit
\$/sales unit
\$/sales unit

Snack Bar Items:

\$/sales unit
\$/sales unit
\$/sales unit